

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Nov 17, 2009

FILED  
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

*C90-5078 mej*

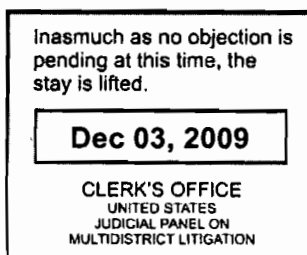
CONDITIONAL TRANSFER ORDER (CTO-24)

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 205 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.


It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

**SCHEDULE CTO-24 - TAG-ALONG ACTIONS**

**DIST. DIV. C.A. #**

**CASE CAPTION**

**CALIFORNIA NORTHERN**

CAN 3 09-5078

Vilate Veirs v. Actavis Totowa, LLC, et al.

**FLORIDA SOUTHERN**

FLS 9 09-81584

Linda K. Suversion, etc. v. Mylan Pharmaceuticals, Inc., et al.

**NEW JERSEY**

NJ 2 09-5326

Carl Ramsey v. Actavis Group hf, et al.

NJ 2 09-5327

Pat Hilliard v. Actavis Group hf, et al.

NJ 2 09-5328

Loren Massey v. Actavis Group hf, et al.

NJ 2 09-5329

Lennett Kyle v. Actavis Group hf, et al.

**PENNSYLVANIA EASTERN**

PAE 2 09-4915

Faith G. Groves, etc. v. Actavis Group hf, et al.

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

**MDL No. 1968**

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William T. Walsh, Clerk  
Martin Luther King, Jr. Federal Building & U.S. Courthouse  
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Michael E. Kunz, Clerk  
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**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

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**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

**INVOLVED JUDGES LIST (CTO-24)**

Hon. Jan E. DuBois  
Senior U.S. District Judge  
12613 James A. Byrne U.S. Courthouse  
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Hon. Faith S. Hochberg  
U.S. District Judge  
Martin Luther King, Jr. Federal Building & U.S. Courthouse  
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Hon. Maria-Elena James  
U.S. Magistrate Judge  
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Hon. Kenneth A. Marra  
U.S. District Judge  
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**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Kathryn H. Vratil  
United States District Court  
District of Kansas

David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Northern District of Texas

Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California

David G. Trager  
United States District Court  
Eastern District of New York

**DIRECT REPLY TO:**

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Clerk of the Panel  
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Judiciary Building  
Room G-255, North Lobby  
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December 3, 2009

Teresa Deppner, Clerk  
Post Office Box 2546  
Charleston, WV 25329-2546

Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-24)

Dear Ms. Deppner:

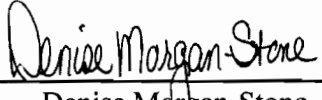
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on November 17, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved judges, clerks & Panel Service List are attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Denise Morgan-Stone  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Joseph R. Goodwin